

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

QUENTIN T. DOCKS,)	
)	
Plaintiff)	
)	
v.)	CIVIL NO. 2:10-cv-99
)	
DEPARTMENT OF HOMELAND SECURITY,)	
)	
Defendant)	

OPINION AND ORDER

This matter is before the court on the Motion to Reconsider the Application for an Appointed Attorney [DE 14] filed by the plaintiff, Quentin T. Docks, on July 19, 2012.

The plaintiff filed his first motion for appointment of counsel on June 23, 2010. The court denied his motion, advising Docks that he must submit an affidavit of his efforts to secure counsel. Docks filed an affidavit and asked the court to reconsider his motion. The court denied his motion to reconsider, explaining that the record reflected that Docks was literate and coherent. On June 21, 2012, the court issued a show cause order because, although Docks served the Department of Homeland Security, he failed to serve the United States Attorney for the Northern District of Indiana. Docks subsequently served the United States Attorney as directed and filed a second motion to reconsider the denial of his motion to appoint counsel on July 19, 2012. His motion reiterates the history of the case and asks

the court to appoint him an attorney without providing any further explanation why he is unable to represent himself.

The court does not appoint an attorney to every litigant who faces a financial hardship. Rather, the court must weigh the complexity of the case with the apparent abilities of the litigant as reflected by the docket. *Gruenberg v. Gempeler*, No. 10-3391, ___ F.3d ___, 2012 WL 4372512, *5 (7th Cir. 2012); *Pruitt v. Mote*, 503 F.3d 647, 656 (7th Cir. 2007). Docks has made no effort to demonstrate that he is incapable of representing himself. His filings are legible and comprehensible, and he has demonstrated that he understands and can comply with court orders. Absent some demonstration that he lacks the capabilities to advocate on his behalf, Docks is not entitled to court appointed counsel and his motion is **DENIED**.

ENTERED this 3rd day of October, 2012

s/ ANDREW P. RODOVICH
United States Magistrate Judge